

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

TIMOTHY MILLER, JR.

Plaintiff,

V.

CIVIL ACTION NO

ARROW FINANCIAL SERVICES LLC

Defendant.

FEBRUARY 12, 2009

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C.1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in Severn, Maryland.
4. Plaintiff is a consumer within the FDCPA.
5. Defendant has a place of business at 5996 West Touhy Ave., Niles, IL 60714.
6. Defendant is a debt collector within the FDCPA.
7. Defendant is a collector within the MCDCA.
8. Defendant communicated with plaintiff on or after one year before the date of this action, in connection with collection efforts with regard to

Plaintiff's disputed personal debt.

9. Defendant communicated with Plaintiff, February 3, 2009, in an attempted to collect a debt from Plaintiff.
10. Plaintiff advised the Defendant that he disputed this debt.
11. Defendant advised the plaintiff that he could not dispute the debt, thereby violating §1692g (a) (3).
12. Defendant frustrated the Plaintiff's dispute rights by stating Plaintiff could not dispute his debt, violating §1692e.
13. Defendant failed to provide the required notice pursuant to 1692e (11) in its communication with the Plaintiff.
14. Defendant has inadequate procedures in place to avoid such error.
15. In the collection efforts, the Defendant violated the FDCPA; inter alia, section 1692e, and g.

SECOND COUNT

16. The allegations of the First Count are repeated and realleged as if fully set forth herein.

17. Within three years prior to the date of this action Defendant collection agency has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. ("MCDCA");

18. Defendant a licensed collection agency has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE plaintiff respectfully requests this Court to:

1. Award plaintiff statutory damages pursuant to the Fair Debt Collection Practices Act 15 U.S.C. §1692 et seq.;
2. Award plaintiff Statutory damages pursuant to Maryland Consumer Debt Collection Act § 14-204 et seq;
3. Award plaintiff statutory damages pursuant to the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq;
4. Award the plaintiff costs of suit and a reasonable attorney's fee;
5. Award and such other and further relief as this Court may provide.

THE PLAINTIFF

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